

USCG-2001-4775-3

## USCG CATEGORICAL EXCLUSION DETERMINATION

FOR

MARINE CASUALTIES AND INVESTIGATIONS; CHEMICAL TESTING FOLLOWING  
SERIOUS MARINE INCIDENTS

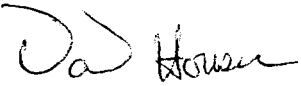
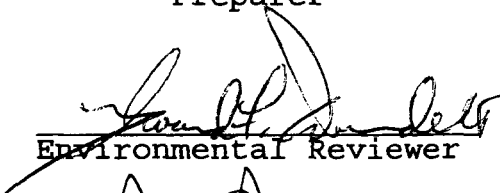

## 46 CFR PART 4

The 1998 Coast Guard Authorization Act requires the Coast Guard to establish procedures ensuring alcohol testing is conducted within two hours of a serious marine casualty. Therefore this rulemaking proposes to establish requirements for testing within the statutory time limits and expand the existing carriage requirements for alcohol testing devices and authorize use of a wider variety of testing devices. This proposed rule would also make minor changes to Part 4, including the time limit for conducting drug testing following a serious marine incident.

This action has been thoroughly reviewed by the Coast Guard, and it has been determined by the undersigned to be categorically excluded under current Coast Guard CE #34(a) from further environmental documentation, in accordance with Section 2.B.2. and Figure 2-1 of the NEPA Implementing Procedures, COMDTINST M16475.1D, since implementation of this action will not result in any:

1. Significant cumulative impacts on the human environment;
2. Substantial controversy or substantial change to existing environmental conditions;
3. Impacts which are more than minimal on properties protected under 4(f) of the DOT Act, as superseded by Public Law 97-449 and Section 106 of the National Historic Preservation Act; or

4. Inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment.

<u>7 NOV 02</u> Date	<u></u> Preparer	<u>David L. Houser</u> Chief, Standards Evaluation and Analysis Division
<u>13 NOV 02</u> Date	<u></u> Environmental Reviewer	<u>Ed Wandelt</u> Chief, Environmental Management Division
<u>18 DEC 2002</u> Date	<u></u> Responsible Official	<u>Paul J. Pluta, RADM</u> Assistant Commandant, Marine Safety, Security and Environmental Protection

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## ENVIRONMENTAL CHECKLIST

**NOTE:** This checklist should be completed by the decision-maker in consultation with an **ENVIRONMENTAL PROTECTION SPECIALIST**. Please read the information on how to properly complete this checklist on pages 4-10 and make sure each question is answered using the accompanying explanations found on the pages cited after each question. Attempting to answer these questions without reading the accompanying explanations may result in an incorrect or incomplete environmental analysis.

### **\*Project Description:**

The 1998 Coast Guard Authorization Act requires the Coast Guard to establish procedures ensuring alcohol testing is conducted within two hours of a serious marine casualty. Therefore this rulemaking proposes to establish requirements for testing within the statutory time limits and expand the existing carriage requirements for alcohol testing devices and authorize use of a wider variety of testing devices. This proposed rule would also make minor changes to Part 4, including the time limit for conducting drug testing following a serious marine incident.

**Activity Year:** 2002

(\*Note: Checklist preparer may want to attach additional descriptive information on the proposed action such as: diagrams, site maps, and photographs.)

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**Part I. Checklist Analysis.**

**YES   NO   NEED**  
**DATA**

1. Is there likely to be a significant effect on public health or safety? (p. 5)		X	
2. Does the proposed action occur on or near a unique characteristic of the geographic area, such as a historic or cultural resource, park land, prime farmland, wetland, wild and scenic river, ecologically critical area, or property requiring special consideration under 49 U.S.C. 303(c)? (p. 5-6)		X	
3. Is there a potential for effects on the quality of the environment that are likely to be highly controversial in terms of scientific validity or public opinion? (p. 7)		X	
4. Is there a potential for effects on the human environment that are highly uncertain or involve unique or unknown risks? (p. 7)		X	
5. Will the action set a precedent for future actions with significant effects or a decision in principle about a future consideration? (p. 7)		X	
6. Are the action's impacts individually insignificant, but cumulatively significant when considered along with other past, present, and reasonably foreseeable future actions? (p. 7-8)		X	
7. Is the proposed action likely to have a significant impact on a district, site, highway, structure, or object that is listed in or eligible for listing in the National Register of Historic Places, or to cause the loss or destruction of a significant scientific, cultural, or historic resource? (p.8)		X	
8. Will the proposed action have a significant effect on species or habitats protected by the Endangered Species Act? (p. 9)		X	
9. Is there a potential or threatened violation of a Federal, State, or local law or requirement imposed for the protection of the environment? (p. 9-10)		X	
10. Is the action likely to have other significant effects on public health and safety or on any other environmental media or resources that are not specifically identified in this checklist? (p. 10)		X	

**Part II. Comments or Additional Information Related to Part I:**

1. A CE is recommended for this proposed action. [ X ]  
 Comments: Since this Coast Guard action falls under #34 (a) of the Coast Guard's NEPA Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1D, a CE meets this criteria.

Comments:

Comments:

Ed Wandelt  
Chief, Environmental  
Management Division

**\*\*Signature of the Environmental Reviewer for the Bridge Administration Program may be that of the preparer's.**